THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17212 OF 1997

Dated:05.07.2006

Between:

V.Venkateswara Rao.

…Petitioners

and

The Deputy Commissioner, Endowments Department, Kakinada, East Godavari District, and others.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17212 OF 1997

ORDER:

The petitioner was working as Senior Assistant under the third respondent. After the Government of Andhra Pradesh accepted the Pay Revision Commission (PRC) recommendations in 1993, the Commissioner of Endowments Department issued Circular in R.C.No.J2/12961/91, dated 15.11.1994, extending the benefit of 1993 PRC scales to all the employees working in the Temples provided that they have completed ten years of regular service in time scale. By subsequent Circular in R.C.No.J2/12961/91-1, dated 15.06.1996, the earlier condition was relaxed extending the benefit to all the employees who completed five years of regular service in time scale. It is the case of the petitioner that by the time the Commissioner issued the Circulars, he was drawing 1986 pay scales and in spite of the extension of 1993 PRC scales, the second respondent did not extend the same. Therefore, he filed the present writ petition seeking a direction to extend 1993 PRC pay scales as directed by the Commissioner of Endowments.

The Writ Petition was admitted on 29.07.1997 and on the same day this Court passed interim orders in W.P.M.P.No.20871 of 1997 directing the respondents to consider the case of the petitioner for appropriate pay scales pursuant to the proceedings of the Commissioner of Endowments. Be that as it is, though the writ petition is kept pending for more than nine years, the respondents have not filed a counter affidavit denying the claim of the petitioner.

In view of the fact that there is no response from the respondents to the case, this writ petition is disposed of directing respondent Nos.2 and 3 to consider the case of the petitioner for grant of 1993 PRC pay scales as directed by the Commissioner of Endowments in the two circulars dated 15.11.1994 and 15.06.1996. It is reported that the petitioner has already been retired from service during the pendency of the writ petition. Therefore, respondent Nos.2 and 3 shall consider the

case of the petitioner for extension of 1993 PRC pay scales as well as subsequent pay revisions within a period of six weeks from the date of receipt of a copy of this order.

The Writ Petition, with the above observations and directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

05.07.2006
vs